

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:  
Gerard A. Friour, et al

Group Art Unit: 1794

Examiner: Gregory D. Clark

INKJET RECORDING ELEMENT

Serial No. 10/563,693  
Filed January 05, 2006

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA. 22313-1450

Sir:

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING  
REJECTION OVER A PENDING SECOND APPLICATION**

The owner, Eastman Kodak Company of the entire interest in the instant application, hereby disclaims except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as shortened by any terminal disclaimer filed prior to the grant of any patent granted on **pending second Application No. 10/578,810**. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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☒ The undersigned is an attorney of record. (If this box is not checked do not use this form)

June 23, 2009

Date

Telephone: (585) 722-9662

Facsimile: (585) 477-1148

/clb

Andrew J. Anderson

Andrew J. Anderson

Attorney of Record

Registration No. 33,564

☒ Please charge the fee to Eastman Kodak Company Deposit  
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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.